

**(1) Fourteenth and Final Account and Report of Conservator; (2) Petition for Fees, for Termination of Conservatorship Distribution of Assets of Estate and (3) Discharge of Conservator (Prob. C. 1860 & 2620)**

DOD: 11-10-10		CALIFORNIA DEPT. OF DEVELOPMENTAL SERVICES, Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Account period: 3-1-09 through 11-10-10 Accounting: \$34,377.72 Beginning POH: \$14,465.02 Ending POH: \$16,100.50  Account period: 11-11-10 through 6-30-11 Accounting: \$18,405.01 Beginning POH: \$16,100.50 Ending POH: \$12,537.04  (POH consists of cash in the amount of \$554.93 plus an undivided 1/3 interest of a 3/4 interest in real property, a stove, and an air conditioner)  Conservator: \$125.00  Attorney: \$40.00  Petitioner states there is a Medi-Cal claim in the amount of \$108,627.87 and requests that the court authorize payment of the remaining balance of the conservatorship estate on this claim.  <b>Petitioner prays for an Order:</b> 1. Approving, allowing and settling the final account; 2. Terminating the proceedings herein; 3. Authorizing payment of the conservator's and attorney's fees; 4. Authorizing payment of the remaining balance to the Dept. of Health Services as payment in full on the Medi-Cal claim; 5. Authorizing transfer of the house, stove and air conditioner to the Conservatee's sister; and 6. Discharge of Conservator.	1. Probate Code §§ 2631 and 13100 allow liquidation and distribution of <u>personal property only</u> in the manner requested. Real property, including undivided interests, is subject to Probate Code §13151, which requires the mandatory judicial council Petition to Determine Succession to Real Property Form DE-310, inventory and appraisal as of the date of death, and noticed hearing.  2. Petitioner also requests to distribute this asset when there is a Medi-Cal lien on the estate. Need authority.  3. Need Order.  <b>Reviewed by:</b> skc <b>Reviewed on:</b> 11-9-11 <b>Updates:</b> 11-16-11 <b>Recommendation:</b> <b>File 1 - Tortorella</b>

## (1) First Account and Report of Conservator and (2) Petition for Attorney's Fees and Costs Reimbursement and (3) Waiver of Conservator's Compensation

Age: 93	<b>ELAINE J. MOSESIAN</b> , granddaughter and former conservator of the estate, is petitioner. Letters issued on 12-18-07 and Resignation was accepted on 3-9-11. Bond is \$40,000.00.  <i>(The Public Guardian was previously the temporary conservator, and was reappointed as Successor Conservator on 3-9-11.)</i>  Account period: 12-18-07 through 4-8-11  Accounting:     \$98,307.32 Beginning POH: \$     0.00 Ending POH:     \$ 4,219.74  Conservator: Waived per Account/Petition filed 5-18-11; however, Declaration filed 8-12-11 states Conservator does <u>not</u> waive rights to compensation for ordinary services as Conservator.  Attorney: \$11,207.20 (itemized)  Costs: \$883.00 (filing fees, certified letters, attempted service of process)  Bond: \$40,000.00 ( <i>insufficient</i> )  <b>Petitioner prays for an Order:</b>  1. Approving, allowing and settling the account and approving the acts of the conservator;  2. Authorizing attorney's fees and costs.  <b>Supplement filed 8-12-11</b> addresses verification, account statement, veteran status, and state hospital status.  <b>Declaration of Atty Bagdasarian filed 9-7-11 requested an additional 60 day continuance to obtain the information. The hearing was continued to 11-17-11.</b>  <b>As of 11-9-11, nothing further has been filed.</b>	NEEDS/PROBLEMS/COMMENTS:
DOB: 7-13-17		As of 11-9-11-11, the following issues remain:
		<u>SEE PAGE 2</u>
Cont. from 070711, 090811		
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
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Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<b>Updates:</b> <b>Contacts:</b> Reviewed 11-9-11 <b>Recommendation:</b> <b>Reviewed by:</b> skc <b>File 2 - Mosesian</b>	

## (1) First Account and Report of Conservator and (2) Petition for Attorney's Fees and Costs Reimbursement and (3) Waiver of Conservator's Compensation

## NEEDS/PROBLEMS/COMMENTS (Continued):

1. Need account statements per Probate Code 2620. *Petitioner two statements: checking end date 4-8-11, and savings end date 12-31-10. This is not in compliance with Probate Code 2620(c)(2).*

*Supplement filed 8-12-11 states the statements are "filed herewith as a confidential filing;" however, there does not appear to be any confidential filing.*

2. Receipts Schedule does not reflect the receipt of funds from the Public Guardian pursuant to the Receipt filed 10-7-08 (signed 5-21-08). Need clarification.

3. Receipts schedule indicates an "Unknown" receipt for \$2,665.96. Disbursements schedule indicates a "Deposit Returned" for \$3,665.96, plus a \$10.00 "Bank Fee on Returned Item." Need clarification.

4. Receipts schedule indicates "Fresno County Superior Court" for \$2,478.80. Need clarification.

5. Disbursements schedule indicates \$3,402.00 to payee "Gary Bagdasarian: Trust Funds to be deposited to offset this amount." Need clarification. Were these funds paid to Attorney Bagdasarian in violation of Probate Code §2647?

*Note: The itemization of attorney's fees indicates creation of a trust in connection with the stipulation for conservatorship; however, this file does not contain further information regarding a trust. The court may require clarification.*

6. Disbursements schedule indicates over \$36,000.00 in "unknown" and "withdrawal" disbursements. Need clarification. *Examiner notes that most of these items were checks for specific amounts, rather than even withdrawal amounts. Therefore, it is likely that the information is available.*

7. Disbursements schedule indicates varying payment amounts to companies like DirecTV, Comcast, and others. Examiner notes that household payments are typically within the same range on a monthly basis, but here, payments range from \$44.77 to \$475.30. The court may require clarification.

8. Disbursements schedule indicates at least six payments on parking tickets from March through June 2008 in amounts ranging from \$25.00 to \$300.00. Need clarification.

9. Disbursements schedule indicates at least four bank fees in amounts ranging from \$10.00 to \$34.00. Examiner notes one item on 6-7-10 for a "Deposit Returned" in the amount of \$3,665.96 with an associated fee of \$34.00. Need clarification.

10. Disbursements schedule indicates numerous line items for "miscellaneous household expenses." The court may require clarification.

11. Petitioner states bond of \$40,000.00 was sufficient; however, based on the accounting, bond should have been at least \$108,138.05 (based on receipts/income during this account period plus cost of recovery).

12. Petition requests reimbursement for attorney's costs including attempted service of process for Attorney's motion to be relieved as counsel. The court may consider this a cost of doing business or may require further information.

13. Notice of Hearing for this account appears to include the bonding company "HCC Surety Group."

14. Attorney's fee itemization includes \$80.00 for conference with the probate examiner no 10-5-07 regarding the upcoming hearing. This is considered a cost of doing business per Local Rule 7.17.B.

15. Attorney's fee itemization includes reference to issuance of bond under a "joint control agreement." The court may require clarification.

16. Petition filed 5-18-11 states Ms. Mosesian, waives compensation (paragraph 5). However, Declaration filed 8-12-11 states she does not waive ordinary compensation. Need clarification.

*Examiner notes that compensation is not requested by this petition or proposed order at this time.*

**Motion and Notice of Motion to Continue Pending Action Pursuant to Code of Civil Procedure 377.41**

3

<b>DOD: 2-5-10</b>		<p><b>MARGARET A. YOUNG</b>, Executor, is Petitioner.</p> <p>Decedent's will creates a third party special needs trust for the benefit of his son, <b>CHARLES E. YOUNG</b> ("Eddie") and devises Eddie's share in trust.</p> <p>Petitioner discovered that Decedent's assets as of his date of death include the following "pay on death" accounts that designate Eddie as beneficiary:</p> <ul style="list-style-type: none"> <li>• John Hancock annuity valued at approx. \$61,500.00</li> <li>• John Hancock annuity valued at approx. \$33,300.00</li> <li>• An individual IRA valued at approx. \$8,500.00</li> <li>• A life insurance policy valued at approx. \$1,000.00</li> </ul> <p>If assets are distributed directly to Eddie, it will expose him to reimbursement requirements and disqualification from benefits. Petitioner believes Decedent intended that the proceeds would be distributed to the special needs trust.</p> <p>Petitioner requests the Court order that these assets be distributed to the personal representative for distribution to the trustee of the special needs trust at final distribution of the estate. At distribution, these assets shall be allocated entirely to the trust before any further division of the residue between the heirs per the will.</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>				
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<input checked="" type="checkbox"/>	<b>Verified</b>						
<input type="checkbox"/>	<b>Inventory</b>						
<input type="checkbox"/>	<b>PTC</b>						
<input type="checkbox"/>	<b>Not.Cred.</b>						
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<input type="checkbox"/>	<b>Conf. Screen</b>						
<input type="checkbox"/>	<b>Letters</b>						
<input type="checkbox"/>	<b>Duties/Supp</b>						
<input type="checkbox"/>	<b>Objections</b>						
<input type="checkbox"/>	<b>Video Receipt</b>						
<input type="checkbox"/>	<b>CI Report</b>						
<input type="checkbox"/>	<b>9202</b>						
<input checked="" type="checkbox"/>	<b>Order</b>						
<input type="checkbox"/>	<b>Aff. Posting</b>						
<input type="checkbox"/>	<b>Status Rpt</b>						
<input type="checkbox"/>	<b>UCCJEA</b>						
<input type="checkbox"/>	<b>Citation</b>						
<input type="checkbox"/>	<b>FTB Notice</b>						
<table border="1"> <tr><td><b>Reviewed by:</b> skc</td></tr> <tr><td><b>Reviewed on:</b> 11-9-11</td></tr> <tr><td><b>Updates:</b></td></tr> <tr><td><b>Recommendation:</b></td></tr> <tr><td><b>File 4 - Young</b></td></tr> </table>			<b>Reviewed by:</b> skc	<b>Reviewed on:</b> 11-9-11	<b>Updates:</b>	<b>Recommendation:</b>	<b>File 4 - Young</b>
<b>Reviewed by:</b> skc							
<b>Reviewed on:</b> 11-9-11							
<b>Updates:</b>							
<b>Recommendation:</b>							
<b>File 4 - Young</b>							

(1) First and Final Report of Executor and (2) Petition for Its Settlement, and (3) Reimbursement of Estate Expenses, and (4) Waiver of Executor's Fees and (5) Allowance of Statutory Fees to Attorney for Ordinary Services and (6) Final Distribution (Independent Administration of Estates Act) (Probate Code 10951)

<b>DOD: 02/21/11</b>		<b>KRISTIN BERRY</b> , Executor, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>1. Need proof of service by mail at least 15 days before the hearing on Wells Fargo Card Services, who filed a request for Special Notice on 06/30/11 and which request has not be rescinded.</b>
		Account period: <b>02/21/11 – 10/06/11</b>	
<b>Cont. from</b>			
	<b>Aff.Sub.Wit.</b>	Accounting - <b>\$122,056.94</b>	
✓	<b>Verified</b>	Beginning POH - <b>\$122,000.00</b>	
✓	<b>Inventory</b>	Ending POH - <b>\$87,607.38</b> (all cash)	
✓	<b>PTC</b>		
✓	<b>Not.Cred.</b>	Executor - waives	
✓	<b>Notice of Hrg</b>	Attorney - <b>\$4,660.00</b> (statutory)	
✓	<b>Aff.Mail</b>	w/	
	<b>Aff.Pub.</b>	Costs - <b>\$1,170.00</b> (publication, filing fees, certified copies)	
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>	Closing - <b>\$100.00</b>	
	<b>Letters</b>	06/06/11	
	<b>Duties/Supp</b>	<b>Distribution, pursuant to decedent's Will, is to:</b>	
	<b>Objections</b>		
	<b>Video Receipt</b>	Kristin Berry - \$40,838.69	
	<b>CI Report</b>	John Dealy - \$40,838.69	
✓	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
✓	<b>FTB Notice</b>		
			<b>Reviewed by:</b> JF
			<b>Reviewed on:</b> 11/09/11
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 5 - Dealy</b>

## (1) Waiver of Accounting and (2) Petition for Final Distribution Under Will and for (3) Allowance of Statutory Fees and Commissions (Prob. C. 11640, 10810, 10800)

<b>DOD: 3-11-11</b>		<b>ELLA BROWN</b> , Executor with full IAEA without bond, is Petitioner.  Accounting is waived.  I&A: \$305,495.35 POH: \$151,804.85 (cash)  Executor: \$4,764.86 (Statutory)  Attorney: \$3,600.00 (Less than statutory)  Closing: \$2,500.00  Distribution pursuant to Decedent's will and Assignment of Interest filed 6-13-11:  Terri Gentleman: \$46,980.00  George W. Ellis, Jr.: \$93,959.99	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input checked="" type="checkbox"/>	PTC			
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<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
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<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input checked="" type="checkbox"/>	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 11-9-11	
			Updates:	
			Recommendation: SUBMITTED	
			File 6 - Ellis	

**(1) Petition for Settlement for First and Final Account and (2) Final Distribution**

<b>DOD: 03/14/10</b>     <b>Cont. from</b> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;"><b>Aff.Sub.Wit.</b></td> <td style="width:5%;"></td> <td style="width:5%;"></td> </tr> <tr> <td><b>Verified</b></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td><b>Inventory</b></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td><b>PTC</b></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> <b>Not.Cred.</b></td> <td></td> <td></td> </tr> <tr> <td><b>Notice of Hrg</b></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td><b>Aff.Mail</b></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td><b>Aff.Pub.</b></td> <td></td> <td></td> </tr> <tr> <td><b>Sp.Ntc.</b></td> <td></td> <td></td> </tr> <tr> <td><b>Pers.Serv.</b></td> <td></td> <td></td> </tr> <tr> <td><b>Conf. 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Posting</b>			<b>Status Rpt</b>			<b>UCCJEA</b>			<b>Citation</b>			<b>FTB Notice</b>	<input checked="" type="checkbox"/>		<p><b>ROBERT PARRISH</b>, Executor, is Petitioner.</p> <p>Accounting is waived.</p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;">I &amp; A</td> <td style="width:10%; text-align: center;">-</td> <td style="width:60%;">NOT FILED</td> </tr> <tr> <td>POH</td> <td style="text-align: center;">-</td> <td>NOT STATED</td> </tr> </table> <p>Executor -      waives</p> <p>Attorney -      \$4,181.97</p> <p><b>Distribution, pursuant to decedent's Will, is to:</b></p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;">Robert Parrish -</td> <td style="width:40%; text-align: right;">50%</td> </tr> <tr> <td>Loree Foraker -</td> <td style="text-align: right;">50%</td> </tr> </table>	I & A	-	NOT FILED	POH	-	NOT STATED	Robert Parrish -	50%	Loree Foraker -	50%	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. The Petition states that an Inventory &amp; Appraisal was filed on 05/17/11; however, no Inventory &amp; Appraisal has been filed. Need Inventory &amp; Appraisal pursuant to Probate Code § 8800.</li> <li>2. Need Notice of Hearing and proof of service by mail at least 15 days before the hearing of the Notice of Hearing on: - Loree Susan Parrish Foraker</li> <li>3. The petition does not make a statement regarding notice to the Victims Compensation Board or Franchise Tax Board as required under Probate Code § 9202(b) &amp; (c).</li> <li>4. The Petition states that the statutory compensation due the attorney is \$4,181.97; however the statutory compensation cannot be determined without an Inventory &amp; Appraisal. Further, the Petition does not set forth the calculation of the statutory compensation to the attorney as required pursuant to Rule 7.705 of the California Rules of Court.</li> <li>5. The Petition states that the personal representative sold real property of the estate; however, no Notice of Proposed Action reflecting service to entitled parties has been filed. Need <i>Notice of Proposed Action</i> with proof of service on interested parties.</li> <li>6. The Petition is not verified.</li> <li>7. <b>Need Order.</b> <i>Note: Pursuant to Local Rule 7.6.1 A - All orders or decrees in probate matters must be complete in themselves. Orders shall set forth all matters ruled on by the court, the relief granted, and the names of persons, descriptions of property and/or amounts of money affected with the same particularity required of judgments in general civil matters. Monetary distributions must be stated in dollars, and not as a percentage of the estate.</i></li> </ol> <table style="width:100%; border-collapse: collapse;"> <tr> <td><b>Reviewed by:</b> JF</td> </tr> <tr> <td><b>Reviewed on:</b> 11/09/11</td> </tr> <tr> <td><b>Updates:</b></td> </tr> <tr> <td><b>Recommendation:</b></td> </tr> <tr> <td><b>File 7 - Parrish</b></td> </tr> </table>	<b>Reviewed by:</b> JF	<b>Reviewed on:</b> 11/09/11	<b>Updates:</b>	<b>Recommendation:</b>	<b>File 7 - Parrish</b>
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Imad S. Naffa DOD: 9-6-11		<p><b>LORETTA A. NAFFA</b>, Surviving Settlor, is Petitioner.</p> <p>Petitioner states she and Decedent established the <b>NAFFA FAMILY TRUST</b> on 12-19-05 and on that date executed an assignment of interest that includes all of the Settlor's right, title and interest in real and personal property listed on Exhibit "A" including but not limited to various types of accounts and notes receivable.</p> <p>Petitioner discovered that certain items were never formally transferred to the trust and requests court confirmation that the items are subject to her control as trustee:</p> <ul style="list-style-type: none"> <li>• Bank of America Checking Account</li> <li>• TD Ameritrade Investment account</li> <li>• Book Entry Promissory Note Receivable from N&amp;W Properties, LLC</li> </ul> <p>Declaration of attorney Timothy Larson, who prepared the trust, states Mr. and Mrs. Naffa were his clients since 2002 and it was Mr. Naffa's intent to make these transfers following execution of his estate-planning documents as well as on an ongoing basis when later acquiring assets. Mr. Naffa has a simple pour-over will that would otherwise distribute his estate to the trust.</p> <p>Petitioner prays for an Order confirming and transferring the above items to the trust and such other orders as the Court deems just and proper.</p>	NEEDS/PROBLEMS/COMMENTS:
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	W		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 11-9-11</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p>File 8 - Naffa</p>	

<b>DOD: 8-13-11</b>			<b>VICKI S. MELLO</b> , Spouse and Named Executor without bond, is Petitioner.  Full IAEA – ok  Will dated 11-27-07  Residence: Laton (Fresno County) Publication: Fresno Business Journal  Estimated Value of Estate: Personal property: \$ 1,000.00 Annual income: \$ 41,652.00 <u>Real property: \$ 950,000.00</u> Total: \$ 991,652.00  Probate Referee: Steven Diebert	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Aff.Sub.Wit.	S/P		
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W		
✓	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
<b>Reviewed by:</b> skc				
<b>Reviewed on:</b> 11-9-11				
<b>Updates:</b>				
<b>Recommendation:</b> SUBMITTED				
<b>File 9 – Mello</b>				

**Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

<b>DOD: 9-22-11</b>			<b>KATHLEEN M. NORKUNAS</b> , Spouse and Named Executor without bond, is Petitioner.  Full IAEA – ok  Will dated 6-20-10  Residence: Sanger (Fresno County) Publication: Fresno Bee  Estimated Value of Estate: Personal property: \$ 450,000.00 Annual income: \$ 20,000.00 <u>Real property: \$ 250,000.00</u> Total: \$ 720,000.00  Probate Referee: Rick Smith	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<input type="checkbox"/>	Aff.Sub.Wit.	S/P		
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg	X		
<input type="checkbox"/>	Aff.Mail	X		
<input checked="" type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

<b>Reviewed by:</b> skc
<b>Reviewed on:</b> 11-9-11
<b>Updates:</b> 11-14-11
<b>Recommendation:</b> SUBMITTED
<b>File 10 - Karlee</b>

**Order to Show Cause Re: Failure to File the Ninth and Final Account of Trustee**

		<p><b>SUZANNE DURAN KELPSAS</b>, former Trustee without bond filed her Eighth Account and Report of Trustee.</p> <p>Supplemental Order following the hearing on the Eighth Account ordered in relevant part:</p> <ol style="list-style-type: none"> <li>1. The resignation of Suzanne Duran Kelpsas, as Trustee, was accepted, effective 7/20/2011, and Bruce Bickel was appointed Successor Trustee effective that same date;</li> <li>2. Suzanne Duran Kelpsas was ordered and directed to file her Ninth and Final Account for the period 1/1/11 through 7/20/11, no later than 15 days prior to the hearing set by the court on 9/14/11. In her accounting petitioner shall disclose the mileage on the Suburban owned by the Trust to allow the Court to determine whether a new vehicle should be purchased by the Trust.</li> </ol> <p>Minute order from 9/14/11 states Mr. Roberts informs the Court that Mr. Barrus is requesting a continuance to complete the accounting. The Court sets the matter for an Order to Show Cause. The Court orders Suzanne Kelpsas to be present on 11/3/11. If the accounting is filed by 11/3/11, no appearance will be necessary by Suzanne Kelpsas.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 11/3/11. Minute order states Counsel advises the Court that he still does not have enough time to finish the accounting. Counsel requests a continuance.</b></p> <p><b>1. Need ninth account or current status report.</b></p>
<b>Cont. from 110311</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 11/15/11</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 11 - Duran</b></p>	

Pro Per Garza, Ofelia Rodriguez (Pro Per Petitioner, paternal grandmother)

## Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 13 years		<b>NO TEMPORARY REQUESTED</b>  <b>OFELIA RODRIGUEZ GARZA</b> , paternal grandmother, is Petitioner.  Father: <b>VIDAL GARZA</b> ; <i>Texas; personally served 10/7/2011 ?;</i>  Mother: <b>VERONICA GARZA</b> ; <i>Declaration of Due Diligence filed 8/8/2011; personally served 10/4/2011;</i>  Paternal grandfather: Vidal Garza, III; <i>sent notice by mail 10/5/2011;</i>  Maternal grandfather: <i>Not listed;</i> Maternal grandmother: Victoria Garza; <i>sent notice by mail 10/5/2011;</i>  <b>Petitioner states</b> the child has lived with her since the 3 <sup>rd</sup> grade with the mother's consent, and the child has not known any other home. Petitioner states she needs guardianship in order to continue to make decisions regarding the child as she gets older.  <b>Court Investigator Charlotte Bien's Report</b> was filed on <b>9/21/2011.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Continued from 10/6/2011.</u> <i>Minute Order</i> states proof that mother Veronica Garza was served on 9/28/2011 is shown to the Court and accepted. The Court notes for the record that the document was filed this morning. The Court advises the Petitioner that the father needs to be personally served. The matter is continued to 11/17/2011.  1. Need proof of personal service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i> , or <i>Consent to Appointment of Guardian and Waiver of Notice</i> , for: <ul style="list-style-type: none"> <li>Unica D. Garza, proposed ward (age 13);</li> <li>Vidal Garza, father, <i>if Court does not deem personal service was made to the father, based upon Proof of Personal Service filed 11/7/2011 showing service was made on 10/7/2011 to "Sgt. Foltin, name of jailer" at Hidalgo County Sheriff's Office in Edinburg, Texas.</i></li> </ul> 2. Need proof of service by mail of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i> , or <i>Consent to Appointment of Guardian and Waiver of Notice</i> , or a <i>Declaration of Due Diligence</i> , for: <ul style="list-style-type: none"> <li>maternal grandfather.</li> </ul>
DOB: 4/11/1998			
Cont. from 100611			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	W/		
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv.	W/		
✓ Conf. Screen			
Aff. Posting			
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
✓ Clearances			
✓ Order			
✓ Letters			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			

Reviewed by: LEG
Reviewed on: 11/9/11
Updates:
Recommendation:
File 12 – Garza

Pro Per Green, James (Pro Per Petitioner, son)

## Ex Parte Petition for Withdrawal of Funds from Blocked Account

DOD: 5/30/2004		<p><b>JAMES GREEN</b>, son, filed on 10/19/2011 an <i>Ex Parte Petition for Withdrawal of Funds from Blocked Account</i>, requesting the current balance of <b>\$53,938.70</b> be withdrawn from an account in the name of <b>MICHAEL RAY GREEN, [SR.]</b>, (surviving spouse), as Guardian of the Estate of James Green.</p> <p><i>Order for Final Distribution on Waiver of Account and Report of Administrator</i> was approved on 5/14/2007, pursuant to which distribution was made as follows:</p> <ul style="list-style-type: none"> <li>To Michael Ray Green, [Sr.] as Guardian of the Estate of James Green, <b>\$61,701.90</b> cash to be held in a blocked account with no withdrawals to be made without prior written order of this Court;</li> <li>Upon receipt of a certified copy of the <i>Order for Final Distribution</i> for the Estate of Anniebell Caldwell Green, Michael Ray Green, [Sr.] shall obtain a loan from <b>ALL VALLEY MORTGAGE AND REALTY</b> in the amount of <b>\$61,701.90</b> cash, and upon receipt of the loan shall transfer this sum of cash into a blocked federally insured interest-bearing account in California to be held in the name of Michael Ray Green, [Sr.], as Guardian of the Estate of James Green.</li> </ul> <p><i>Ex Parte Petition for Final Discharge and Order signed on 7/5/2007</i> shows Michael Ray Green was <b>discharged</b> as Administrator of the Estate on that date. Attached to the final discharge order is <i>Exhibit A, Receipt and Acknowledgement of Depository</i> filed on 6/19/2007 signed by Bank of America representative showing a blocked account in the name of Michael Ray Green, [Sr.], as Guardian of the Estate of James Green with a balance of <b>\$61,701.90</b>.</p> <p><b>Petitioner also requests in addition</b> to the balance of the blocked account to be paid to himself based upon his reaching age 18 (<i>please refer to attached copy of Petitioner's birth certificate showing his DOB as 10/12/1993</i>), that <b>\$800.00</b> be paid to Michael Green, Sr., with no purpose stated for this distribution.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Note:</u> Pursuant to the <i>Order on the Ex Parte Petition for Withdrawal of Funds from Blocked Account</i> signed on 10/20/2011, the Petition is set for hearing on 11/17/2011 with notice of hearing to be provided 7 days before the hearing to Michael Ray Green, Sr. (Guardian of the Estate of James Green.) <i>Clerk's Certificate of Mailing</i> shows the <i>Order on Ex Parte Petition</i> was mailed to Petitioner James Green on 10/21/2011.</p> <ol style="list-style-type: none"> <li>Need <i>Notice of Hearing</i> and proof of service by mail showing notice was served 7 days prior to this hearing to Michael Ray Green, Sr.</li> <li>Proposed order contains the following defects: <ul style="list-style-type: none"> <li>Order states at Item 2 the amount of \$50,000.00 to be withdrawn from the blocked account, which does not match the amount Petitioner requests be withdrawn.</li> <li>Order is incomplete at Item 3(c) regarding the blocked account number.</li> <li>Order does not include a distribution of \$800.00 to Michael Green, Sr., as requested in the <i>Petition</i>.</li> </ul> </li> </ol>
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	X		
Aff.Mail	X		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

**Petition for Probate of Will and for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

<b>DOD: 04/21/10</b>	<b>MICHAEL MURPHY</b> , son, is		<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Petitioner and requests appointment as Administrator.		
	Full IAEA – <b>NEED</b>		<b>CONTINUED FROM 9/29/11</b> Minute Order dated 09/29/11 states: Examiner notes are provided to the Petitioner. The Petitioner is directed to cure the defects.
Cont. from 050411, 070611, 081111, 092911	Decedent died intestate		
<input type="checkbox"/> Aff.Sub.Wit.	Residence: Fresno		<p>As of 11/09/11, no additional documents have been filed and the following issues remain outstanding:</p> <ol style="list-style-type: none"> <li>1. Need <i>Notice of Petition to Administer Estate</i> and proof of mail service at least 15 days before the hearing to all persons named in Item 8 of the <i>Petition for Probate</i>.</li> <li>2. Need Publication.</li> <li>3. Petition does not indicate the name of the person Petitioner is requesting be appointed as Administrator.</li> <li>4. Petition is marked requesting appointment of an Administrator, however, the Petition is also marked requesting General Powers under the Request for Appointment for Special Administrator. Court may require clarification.</li> <li>5. Petition does not address bond. Petitioner estimates personal property in the amount of \$47,000.00 therefore bond should be set at \$47,000.00 unless all heirs waive bond.</li> <li>6. Item 8 of the Petition indicates that decedent's son Mark Murphy is deceased. Pursuant to Local Rule 7.1.1D if a beneficiary, heir, child, spouse, or registered domestic partner in any action before the Probate Court is deceased, that person's date of death shall be included in the Petition.</li> <li>7. Need ages and mailing addresses of sons, Michael Charls Murphy and Allen Murphy and daughter, Cathleen Frisher named in Item 8 of the Petition for Probate.</li> <li>8. Need Confidential Supplement to Duties and Liabilities.</li> </ol>
<input checked="" type="checkbox"/> Verified	Publication: <b>NEED</b>		
<input type="checkbox"/> Inventory	<b>Estimated Value of the Estate:</b>		
<input type="checkbox"/> PTC	Personal property - \$47,000.00		
<input type="checkbox"/> Not.Cred.	Probate Referee: <b>STEVEN DIEBERT</b>		
<input type="checkbox"/> Notice of Hrg	X		
<input type="checkbox"/> Aff.Mail	X		
<input type="checkbox"/> Aff.Pub.	X		
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 11/09/11</p> <p><b>Recommendation:</b> copy of notes in file</p> <p><b>Updates:</b></p> <p><b>File 14 – Murphy</b></p>
<input checked="" type="checkbox"/> Letters			
<input type="checkbox"/> Duties/Supp	X		
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			

Atty Gonzales, Andy R. (pro per Petitioner/paternal uncle)

Atty Gonzales, Rebecca (pro per petitioner/paternal aunt)

## Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Larry age: 16 years DOB: 3/25/1995		<b>TEMPORARY EXPIRES 11/17/11</b>  <b>ANDY GONZALES and REBECCA GONZALES</b> , paternal uncle and paternal aunt, are petitioners.  Father: <b>LARRY GONZALES</b> – <i>personally served 09/20/11</i>  Mother: <b>TAMMY GONZALES</b> – <i>declaration of due diligence filed on 9/21/11.</i>  Paternal grandfather: Ascension Gonzales – <i>deceased.</i> Paternal grandmother: Lupe Ybarra – <i>consents and waives notice.</i> Maternal grandfather: Julio Cruz - <i>deceased</i> Maternal grandmother: Carol Cruz – <i>deceased</i>  <i>Minor Aleya consents and waives notice.</i>  <b>Petitioners state</b> that the mother has been in and out of the children's lives and the children have primarily lived with their father. Their father, however, is abusing prescription medications and has been involved in numerous car accidents, sometimes with the children in the car. Further, the he has forgotten to turn off the stove and left the gas running, therefore, Petitioners feel it is dangerous for the children to remain in his care. Also, CPS removed the children from the father due to his being under the influence.  <b>Court Investigator Jennifer Young's report was filed 11/10/11.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Declaration of Due Diligence filed regarding mother, Tammy Rodriguez, states that her whereabouts are unknown. If diligence is not found need proof of personal service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the Petition <u>or</u> Consent and Waiver of notice for: - Tammy Gonzales, mother
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: JF Reviewed on: 11/10/11 Updates: 11/14/11 Recommendation: File 15 - Gonzales	



**Petition for Appointment of Guardianship of the Person**

Age: 4 DOB: 5-2-07		<b><u>TEMPORARY EXPIRES 11/17/11</u></b>		<b>NEEDS/PROBLEMS/ COMMENTS:</b>
		<b>JACOB LUNA and MELISSA TORRES</b> , maternal uncle and aunt, are Petitioners.		
		Father: <b>PJ FRITCHER</b> - <i>Personally served 9-17-11</i>		
Cont. from		Mother: <b>DANIELLA LUNA</b> - <i>Personally served 9-18-11</i> - <i>Consent and Waiver of Notice filed 9-20-11</i>		
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg	Paternal Grandfather: James Patrick Fritcher – <i>served by mail 09/16/11</i>		
✓	Aff.Mail	Paternal Grandfather: Brenda Ford – <i>served by mail 09/16/11</i>		
	Aff.Pub.	Maternal Grandfather: Daniel Luna – <i>served by mail 09/16/11</i>		
	Sp.Ntc.	Maternal Grandfather: Kathy Remke – <i>served by mail 09/16/11</i>		
✓	Pers.Serv.			
✓	Conf. Screen			
✓	Letters	Siblings: Unknown		
✓	Duties/Supp	<b>Petitioners state</b> CPS recommended that Petitioners file for guardianship after an altercation between Mother and Maternal Grandmother resulted in a WIC 300 hold (Team Decision-Making Summary Report attached). Mother and Father have long histories of substance abuse. Mother has been incarcerated at least twice. Father has a history of arrest and no permanent housing or job. Petitioners state Daniel needs immediate medical and dental care. He has several rotting teeth and will require oral surgery.		
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice	<b>Objection by Mother, Daniella Luna, filed 11/14/11</b> states that she now has a stable home and is in a treatment program. She states that she is now sober and understands the mistakes she made in the past. She states that the petitioners have only let her see her son 5 times for 15-30 minutes and she would like an opportunity to have another chance at having her son back.		
		<b>Court Investigator Dina Calvillo's report filed was 11/10/11.</b>		

**Reviewed by:** JF

**Reviewed on:** 11/10/11

**Updates:** 11/14/11

**Recommendation:**

**File 16 - Fritcher**

Atty Tovar, Maria (pro per – stepmother/petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Noah age: 9 years DOB: 2/19/2002		<p align="center"><b><u>NO TEMPORARY IN PLACE; PETITIONER DID NOT SHOW UP FOR TEMPORARY HEARING AND PETITION WAS DENIED &amp; DISMISSED</u></b></p> <p>MARIA TOVAR, stepmother, is petitioner.</p> <p>Father: <b>CESAR PEREZ</b></p> <p>Mother: <b>SHALON PEREZ</b></p> <p>Paternal grandfather: not listed Paternal grandmother: Consuelo Tafolla Maternal grandfather: Not listed Maternal grandmother: Not listed.</p> <p><b>Petitioner states</b> that the children have been living with her since April 2010. At this time neither parent can be located and guardianship is needed so that she can properly care for the children, seek medical and dental attention as needed and make educational decisions on behalf of the children. Petitioner states that both of the parents have displayed violent behavior in the past and she can provide a stable home for the kids.</p> <p><b>Court Investigator Jo Ann Morris' report filed was 11/14/10.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need <i>Notice of Hearing</i>.</li> <li>2. Need proof of personal service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian or Consent and Waiver of Notice or Declaration of Due Diligence</i> for: <ul style="list-style-type: none"> <li>- Cesar Perez (father)</li> <li>- Shalon Perez (mother)</li> </ul> </li> <li>3. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian or Consent and Waiver of Notice or Declaration of Due Diligence</i> for: <ul style="list-style-type: none"> <li>- Consuelo Tafolla (paternal grandmother)</li> <li>- Paternal grandfather</li> <li>- Maternal grandmother</li> <li>- Maternal grandfather</li> </ul> </li> </ol>	
Adan age: 7 years DOB: 12/05/2003				
Alana age: 6 years DOB: 6/12/2005				
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			x
<input type="checkbox"/>	Aff.Mail			x
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			x
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Reviewed by: JF
Reviewed on: 11/10/11
Updates: 11/14/10
Recommendation:
File 17 – Perez

**Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C. 1820, 1821, 2680-2682)**

Age: 51 DOB: 03/30/60	<b><u>NO TEMPORARY REQUESTED</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  Court Investigator advised rights on 11/02/11.  Voting rights affected, need minute order.
	<b>KATHY BROWN</b> , step-sister, is Petitioner and requests appointment as Conservator of the person and requests that Carl B. Harris be appointed as conservator of the estate.	<ol style="list-style-type: none"> <li>Item 1(b) of the Petition requests that Carl G. Harris be appointed as Conservator of the Estate. This is the proposed conservatee's name. It is unclear whether this is an error or if there is someone else named Carl G. Harris that is requesting appointment as Conservator of the Estate. Need clarification.</li> <li>The Petition is not marked at item 1(g) or Item 9 requesting Medical Consent Powers; however, declaration of Dr. Avik states that the proposed conservatee lacks capacity to give informed medical consent. Need clarification.</li> <li>The Petition does not address bond. With the income and personal property listed in the Petition, bond should be set at <b>\$7,370.00</b>. <i>Note: Petitioner has indicated that she has not fully ascertained Mr. Harris' retirement/pension information, or other possible sources of income and/or assets.</i></li> <li>Item 1 (h)(i) and (j) of the Petition are checked, however these items relate to Limited Conservatorships only, therefore they appear to be checked in error. Need Clarification.</li> <li>Need <i>Notice of Hearing</i>.</li> <li>Need <i>Citation</i>.</li> <li>Need proof of personal service of <i>Notice of Hearing and Citation</i> at least 15 days before the hearing on the proposed conservatee.</li> <li>Need proof of service by mail of <i>Notice of Hearing</i> with a copy of the <i>Petition</i> at least 15 days before the hearing for:               <ul style="list-style-type: none"> <li>- Rosie Harris (mother)</li> <li>- Kimberly Harris (daughter)</li> <li>- Sharon Harris (sister)</li> <li>- Melva Lorrington (sister)</li> <li>- Alton Harris (brother)</li> <li>- Jimmy Woods (brother)</li> <li>- J. Trent Harris (brother)</li> <li>- Ronnie Harris (brother)</li> <li>- Kenneth Harris (brother)</li> <li>- And any other relatives in the 2<sup>nd</sup> degree not listed (parents, grandparents, children, grandchildren, and brothers and sisters).</li> </ul> </li> <li>Item 6(a) &amp; (b) of the <i>Confidential Conservator's Screening Form</i> is not marked re: I do/do not owe money or have a financial obligation to the proposed conservatee &amp; The proposed conservatee does/does not owe money or have a financial obligation to me.</li> </ol>
Cont. from	<b><u>Estimated Value of the Estate:</u></b> Personal property - \$2,500.00 Annual income - 4,200.00 <b>Total - \$6,700.00</b>	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	x	
<input type="checkbox"/> Aff.Mail	x	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	x	
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input checked="" type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation	x	
<input type="checkbox"/> FTB Notice		
	Capacity Declaration filed.  Voting rights affected.  Petitioner states that the proposed conservatee suffered a traumatic brain injury in August 2011 and is unable to communicate or care for his basic needs.  <b>Court Investigator JoAnn Morris' report was filed 11/07/11 and Supplemental report was filed 11/14/11.</b>	
		Reviewed by: JF Reviewed on: 11/14/11 Updates: Recommendation: File 18A - Harris

Age: 13 DOB: 04/23/98    Cont. from Aff.Sub.Wit. <input checked="" type="checkbox"/> Verified Inventory PTC Not.Cred. Notice of Hrg x Aff.Mail Aff.Pub. Sp.Ntc. Pers.Serv. x <input checked="" type="checkbox"/> Conf. Screen Letters x <input checked="" type="checkbox"/> Duties/Supp Objections Video Receipt CI Report 9202 Order x Aff. Posting Status Rpt <input checked="" type="checkbox"/> UCCJEA Citation FTB Notice	<p><b><u>TEMPORARY GRANTED EX PARTE;</u></b>  <b><u>EXPIRES 11/17/11</u></b></p> <p><b>MARICE RUIZ</b>, non-relative, is Petitioner.</p> <p>Father: <b>GILBERT CORTEZ</b> –  <i>incarcerated</i></p> <p>Mother: <b>TINA CORTEZ</b></p> <p>Paternal grandparents: UNKNOWN</p> <p>Maternal grandparents: NOT LISTED</p> <p>Siblings: Monique, Berry, Gabriel – <i>consent &amp; waiver of notice filed 11/07/11</i></p> <p><i>Consent &amp; Waiver of Notice of Minor filed 11/07/11</i></p> <p>Petitioner states that the minor needs to go to school and has a bump under his arm that needs to be checked by a doctor. Further, he needs clothes and shoes. Letter from minor attached to the Petition indicates that his mother uses drugs and does not provide a safe and clean home environment nor does she provide clothing or shoes. Minor states that he wants to stay with the Petitioner.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need <i>Notice of Hearing</i>.</li> <li>2. Need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Temporary Guardianship or Consent and Waiver of Notice or Declaration of Due Diligence</i> for:           <ul style="list-style-type: none"> <li>- Gilbert Cortez (father)</li> <li>- Tina Cortez (mother)</li> </ul> </li> </ol> <p>Reviewed by: JF</p> <p>Reviewed on: 11/10/11</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 19 - Cortez</p>
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DOD: 4/10/10		<b>FELICIA LOPEZ</b> , surviving spouse, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
No other proceedings			
Decedent died intestate.			
Cont. from 111011			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Petitioner states she and the decedent married on 12/5/1975 and lived together until the decedent's death. The property was purchased during the course of the marriage using community property earnings. In early 2006, Petitioner and Decedent wanted to refinance the home. However because Petitioner's credit rating was poor, the lender requested that Petitioner deed the property to Decedent which would then allow Decedent to obtain the refinancing, in doing so Petitioner did not relinquish her community property rights.

Petitioner requests real property be determined to be having belonged to her upon the death of the decedent.

1. Petition did not allege any facts for the court to determine the property was community property. Verified Declaration of James Vallis filed on 11/14/11 contains statements alleging the property is community property. However, the declaration is not signed or verified by the Petitioner and it was not served on all parties entitled to notice.

2. #5(a)(2) of the petition indicated the decedent was survived by issue of a predeceased child. Need name and date of death of the predeceased child(ren) pursuant to Local Rule 7.1.1D.

3. Need Order

Reviewed by: KT

Reviewed on: 11/3/11

Updates:

Recommendation:

File 20 - Lopez